

City of Sherwood, Oregon
Planning Commission Meeting

December 20, 1994

1. **Call to Order/Roll Call.** Vice-Chairman Corrado called the meeting to order at 7:30 p.m. Commission members present were: Chris Corrado, Marge Stewart, George Bechtold, Susan Claus, and Ken Shannon. Gene Birchill and Rick Hohnbaum were absent and excused. Planning Director Carole Connell and Secretary Teresa Minor were also present.

Vice-Chairman Corrado advised that the application for Triple S Sales, has been rescheduled for the January 17, 1995 meeting.

2. **Public Hearings:**

Vice-Chairman Corrado read the hearings disclosure statement and requested that Commissioners advise of any conflict of interest, ex parte contact or bias regarding the Asterbrook PUD.

Ms. Claus stated that she had done previously done some work for the developer of the Asterbrook PUD; however, she did not feel there would be a conflict.

There being no other disclosures, Vice-Chairman Corrado opened the hearing and called for a staff report.

- A. PUD 94-1 Asterbrook: a Preliminary development Plan and Subdivision Plat for 175 residential units on Edy Road:

Ms. Connell pointed out that the Commissioners are conducting their first review of the Asterbrook PUD and will make a recommendation to the City Council. Ms. Connell provided an in-depth review of the Staff report dated November 29, 1994, a complete copy of which is contained in the Commission's minute book.

In conclusion, Ms. Connell commented that the PUD complies with all of the City requirements, and recommended that the Commission forward the application to the City Council with a recommendation of approval subject to the conditions outlined in the staff report.

Vice-Chairman Corrado next opened the hearing for testimony from the applicant or other proponents.

Len Schelsky, Westlake Consultants, 15115 SW Sequoia Parkway, Suite 150, Tigard, addressed the Commission. Mr. Schelsky commented that Ms. Connell had presented the project very well, and he had only a few items he wished to clarify with regard to the staff report, such as the wetland and floodplain issue. Mr. Schelsky stated that he has drawings of the floodplains and wetlands, but would like to address the issue in the staff report first. He commented that the applicant has no problem with the 8,000 square foot lots and has a new layout which reflects the change. Mr. Schelsky noted that the new layout also reflects the 28-foot wide paving in Phase 3. Regarding Condition No. 5 and the location of the sidewalk to the wetland, Mr. Schelsky indicated that he is in agreement with Ms. Connell's suggestion that the sidewalk grade and location be determined in the final engineering plans. Regarding stormwater runoff, Mr. Schelsky noted that two areas had been identified for the water quality basins and those will be swales that will be planted to meet USA standards. He commented that one item in the Staff report requires the applicant to provide retention. Mr. Schelsky requested that he would like to work out the retention with the City Engineer inasmuch as the storm water may not be retained but will run directly into the floodplain and urged that the requirements for that be made between the City and the applicant.

In response to Commissioner Bechtold's questions, Mr. Schelsky indicated the swales would be maintained by the City, who would have access through a public easement on the walkway. He suggested that the two ponds be connected by a graveled walkway to accommodate maintenance.

Regarding Edy Road, Mr. Schelsky stated that the road will have a half-street improvement with a curb and sidewalk for the frontage along Phase 1 and the remaining improvements will be made during Phase 2. He pointed out that there is some major culvert work which will affect the floodplains, for which the applicant will obtain permits. Mr. Schelsky stated that he plans to obtain all permits for wetland crossing, fill or mitigation work during Phase 1 of construction.

Mr. Bechtold inquired if the applicant is requesting that the City change its standards for work in the wetlands. Mr. Schelsky responded that the applicant had previously shown that retention is not required by USA standards. Ms. Connell pointed out that any deviation from City standards must also be agreed upon by the City and that wording is included in the conditions of approval.

Mr. Schelsky directed the Commission's attention to a revised wetland drawing on Phase 3 and commented that the private street had been shortened and one lot had been deleted. He pointed out that the lots near the buffer do not impact the wetlands, only a little bit of the buffer in a couple of minor areas which will be filled. Mr. Schelsky remarked that the more area on the opposite side of the creek is being dedicated to the City to offset the area being filled. Mr. Schelsky advised that the location of the road is due to the requirements on Edy Road, which the County required have a sight distance of 400 feet along the curve. He noted that relocating the intersection resulted in a sight-distance of approximately 450 feet. Mr. Schelsky pointed out that the traffic impact statement indicates there is now adequate sight distance. He noted that the applicant could pay a fee in lieu to mitigate the impact of the intersection on the wetlands and floodplains, and some type of vegetation will be planted to mitigate the impact on the buffer areas of the wetlands. In response to Mr. Bechtold's question, Mr. Schelsky confirmed that should the property to the east be developed, there will be adequate sight distance at the crest of the hill too.

Mr. Schelsky commented that a 10.3 acre parcel will be dedicated as open space, 7 acres of which are in the floodplain, and contains a number of cedar trees. He then offered to answer any questions the Commission members may have.

In response to Vice-Chairman Corrado question, Mr. Schelsky stated that it would probably not be possible to reduce the number of utility crossings in the wetland areas. In response to Vice-Chairman Corrado's idea that consideration be given to including a water line in the sewer line trench, Mr. Schelsky indicated dual lines would be possible; however, it is necessary that the trench be wider since a 10-foot separation of lines is required.

Ms. Stewart expressed her concerns with regard to half-street improvements. Mr. Schelsky pointed out that the half-street improvements would have to be to County specifications.

Vice-Chairman Corrado requested that City approval of CC&Rs be included as a condition of approval.

Dick Brown, 7340 SW Hunziker, Tigard, addressed the Commission. Mr. Brown stated, for the records, that he is one of the developers of the project.

There being no further proponent testimony, Vice-Chairman

Corrado opened the hearing for comments from opponents.

David Moss, 19190 SW Seiffert Road, Sherwood, addressed the Commission. Mr. Moss stated he is 8.5 miles out of the City's jurisdiction, and he is attendance on behalf of the Lutheran Church and is the President of the congregation. Mr. Moss commented that at a regularly called meeting on December 5, he was delegated to speak to the Commission. He requested that all correspondence be addressed to the church at 17190 SW Scholls-Sherwood Road. Mr. Moss remarked that a letter had been submitted from Westlake regarding a meeting which he attended at the beginning of discussions. He pointed out that their concerns are outlined in the letter and concern the loss of the church's property east of the development. Mr. Moss stated that he had been requested by Mrs. Burris who owns property abutting the development, to speak in her behalf also. He pointed out a grove of trees on the church property and noted that Lot 144 is the back corner of the property, and recently acquired 1.24 acres of property from the Ruprecht family, which will be directly in the middle of the hammerhead. Mr. Moss expressed concern regarding the cut and fill of the wetlands. He stated that earning a credit in one place to be applied to another place defeats the purpose of defining wetlands for preservation. Mr. Moss stated that Edy Road is essentially a County cow trail, which was eventually paved; however, is still a very narrow and extremely dangerous street. He commented that the traffic report indicates an addition of approximately 1500 trips per day onto Edy Road to Highway 99W, and the church is concerned with the property becoming an attractive nuisance.

Mr. Moss remarked that the City does not have any park area, and it is generous of the developer to offer over 10 acres of land as open space to be dedicated as parks, it is his belief, to paraphrase Harry Truman, "if it walks like a swamp and quacks like a swamp, it's a swamp" and he did not believe the City would benefit from having a swamp for a park. He pointed out that the area is currently under quite a bit of water. Mr. Moss stated that noise in the area is always a problem, and noted that it can be partially mitigated by planting trees; however, he is also concerned about the noise which the church generates. Mr. Moss stated that current residents adjacent to the church have addressed letters objecting to the traffic on Lynnly through their housing development. Mr. Moss apologized, but pointed out that the street is public; in addition the church bell creates noise, especially when there is a funeral for someone who has lived a long-life, the bell sometimes clangs 80 to 90 times and is objectional to some people, but not to the church members. Mr. Moss pointed out that there is also an outdoor worship area which is in the center of the grove of trees and worship

services are held in that area during the summer; the members sing and have electronic instruments for outside use. He commented that adjacent neighbors might also object to that noise. Regarding the lot sizes, Mr. Moss urged that any reduction in required lot sizes sets a bad precedence, especially in an area which is a sensitive wetland area, and the street into Phase 3 appears to be unbuildable without a cut and fill of wetlands as originally discussed. He suggested that the City hew to its own marks and avoid any fill of wetlands. Mr. Moss stated that Mrs. Burris specifically asked that he request the Commission require fencing so that her property will not become an attractive nuisance, as will the church property. He requested that consideration be given to a minimum 6-foot high chain link security fence to render it, at least a little bit difficult for motorcycles to blast across the "back 40" along the church property line. He indicated that some of the trees will have to be removed in order to install a fence. In response to Mr. Shannon's statement, Mr. Moss commented that Mrs. Burris' property is not within the City limits, and she is not interested in being annexed.

In response to Ms. Claus' questions, Mr. Moss stated that the grove of trees is approximately 200 feet from the property line and electronically amplified instruments and a PA system is used for outdoor worship. He pointed out that the church is very old and has no air conditioning and because of the heat the services are held outdoors. Mr. Moss indicated there are 400 members, 250 communicants and on any given Sunday the attendance ranges from 250 to 275, from 8:30 until 11:30 a.m. He stated that there are also activities other than Sunday on a regular basis, including a pre-school and a supervised play ground. Mr. Moss remarked that complaints have been received from the existing residents regarding traffic; but, no complaints have been received regarding the church bell. Mr. Moss stated that the congregation has been meeting in that location since 1878, and has been occupied continuously for over 100 years. Mr. Moss remarked that other members of the congregation are also in attendance to speak to the Commission. With regard to the request for fencing, Mr. Moss stated that the church plans to extend the fencing along the subdivision, Cedar Creek Estates to avoid an attractive nuisance. He pointed out that the cemetery is recorded by the County is twice the size shown and, on occasion, has been a popular area in which the Lynnly residents walk their dogs, as well as a golf area. Mr. Moss requested that the Planning Commission consider mitigating their "pain", as well as their quality of life and the quality of death since the cemetery does have some degree of respect. He offered to answer any questions the

Commissioners may have.

In response to Ms. Claus' questions, Mr. Moss stated that there is someone on the property 24 hours, the pastor being domiciled in the parsonage. Ms. Claus suggested that the church consider fencing. Mr. Moss responded that fencing at a church tells people to "keep out", and the church does not want to keep people out, but would like the dogs, golf balls, horses, motorcycles kept out, as well as some degree of respect shown for the property. He pointed out that the County is revamping the curve at Scholls-Sherwood Road; however, the County has expanded the right-of-way over the years and there is currently a burial sight in the right-of-way.

Vice-Chairman Corrado requested that those providing testimony to be succinct unless they have new comments or information; otherwise, indicate that you are supporting Mr. Moss's comments.

Carole Strahan, 19505 SW Edy Road, Sherwood, addressed the Commission. Ms. Strahan remarked that she supports all of Mr. Moss' comments, and stated one of her concerns is the filling of the wetlands and the only way Phase 3 can be accomplished is by infringing on the wetlands. She stated that filling in the wetlands is not beneficial and urged that the Commission consider that in their decision. Ms. Strahan commented that if the Commission eliminated Phase 3, it would eliminate the problems with a half-street improvement on Edy Road, since it will necessitate filling part of the wetlands.

Ms. Strahan commented that donation of the land is ironic since the land can't be used. She pointed out that the area is currently flooded and it will be difficult for children to use as a park. Ms. Strahan indicated that the area will be a City park and asked how the City residents will have access to the park, through the development, and would the people using the park be parking on streets throughout the development. Ms. Strahan stated that the project is not compatible with the adjoining property, which is farming. Regarding the traffic impact, Ms. Strahan indicated she did not agree with the opinion that the traffic will not impact that at Six-Corners. She stated that the 122 homes in the Whistler Development will create 1100 trips and eventually 175, plus the residents of Cedar Creek Estates dumping onto Edy Road will create a minimum of 1500 trips, and there is no way that cannot impact Six Corners in trying to get onto 99W.

Mr. Strahan stated that the assumption that the developers will have access on to the west side is erroneous. She pointed out that the property is not for sale and will not be for sale and it is presumptuous to assume access to the west side. Regarding the schools, Ms. Strahan stated she was at the School Board meeting at which the number of students was

discussed, and the Asterbrook subdivision was not listed and it is incorrectly assumed by the City that the School Board is considering or approved this subdivision. Ms. Strahan stated that it is imperative that a response be obtained from the school rather than assuming that the schools "think they can accommodate the extra students." Ms. Strahan commented that saying that you won't do the "farming waiver" is quite absurd since this is where you need that. She pointed out that on the west side the uses are totally different; one being high density against farm land and that is where a waiver is need which says the people have to sign an agreement not to complain since there is farming going on. Ms. Strahan stated that she remodeled her home, a new home was built, they are in farming and had to sign a waiver that they would not complain about the practice of farming; it had to be notarized and filed with the County. Ms. Strahan remarked that the subdivision is in the City, but she thinks the City should consider the waiver because this is a situation where farm land abuts a major development. Ms. Strahan suggested that the members of the Planning Commission drive by the properties involved to better understand the topography of a parcel.

Commissioner Bechtold pointed out that response of the School Board is optional, and urged that speakers attend the School Board meetings and make their feelings known. Regarding the farming waiver, Mr. Bechtold offered to work with the citizens to include the requirement in the City's codes.

Ms. Strahan commented that she is not in favor of the development and urged that the Commission consider not including Phase 3 of the development because of the infringement on the wetlands.

Karen Labahn, 18283 SW Edy Road, Sherwood, addressed the Commission. Ms. Labahn stated that she supports the comments of Mr. Moss and Ms. Strahan. Ms. Labahn stated that at meetings with developers the adjacent property owners requested consideration of a playground of some type so that children have a place to play and so that surrounding properties, i.e., the church, do not become an attractive nuisance. She pointed out that the wetlands is not an area in which children should be playing.

Lowal Labahn, 18283 SW Edy Road, Sherwood, addressed the Commission. Mr. Labahn stated that he and his father run a nursery adjacent to the development, and the development, with the additional number of residents, will certainly change their way of life. Mr. Labahn stated that the Lutheran Church, Mrs. Burris, Mr. Miller, Mr. Labahn, Mr.

Maddock, Mr.

Kent, all of whom surround the proposed development, do not support the development, and he does not understand how the Commission can approve the development.

Vice-Chairman Corrado stated that, in order to clarify the position of the Commission and how it must deal with the development, it is not a question of wanting or not wanting to approve development or uses of property. He indicated that the law states that certain zoning and certain dwellings may be placed in certain property. Vice-Chairman Corrado pointed out that the parcel is zoned to obtain a higher development and there could be more people in apartments. He remarked that the Commission cannot deny a development only because the neighbors or the Commission does not like it, there must be very specific reasons for denial, there is no legal right to do so, and the position and responsibility of the Planning Commission are to consider the input and information and if the development meets requirements of the laws, the Commission can try to form the development so that it has the least amount of impact on open spaces and adjoining properties. Vice-Chairman Corrado commented that the Commission is in a very difficult situation, and the fact that the Commissioners volunteer their time to make these decision shows a great deal of care and concern over the growth of the City; however, the growth cannot be stopped.

Ms. Strahan stated that it seems ironic that if the neighbors complain enough about the development and complain enough about the farming activity around them, is it o.k. for the farming industry to have to go out of the business because of the complaints? Vice-Chairman Corrado responded that there are ways to deal with that situation, and he himself has a question concerning the waiver: is a waiver in the CC&Rs legal? Ms. Connell replied that she does not have a legal opinion, but she asked the City Manager about implementing a County document without a provision in the City's code. Ms. Connell noted that the City Manager was not comfortable with enforcement of the County's waiver. Ms. Stewart pointed out that the County is required to retain the farm land whereas the City is in the urban growth area where the population is supposed to be and therefore the population is much denser. She noted that the City is also governed by the Metropolitan District, which indicates the density of Sherwood is under the Metro Housing Rule.

Vice-Chairman Corrado assured that the Planning Commission will make the best possible decision to create the best livable conditions.

Sharon Atrops, 19215 SW Edy Road, Sherwood, addressed the Commission. Ms. Atrops stated that she is a neighbor of the church, and recently learned that the City limits had been extended on Edy Road and asked, who made the decision and will it keep happening? Ms. Connell responded that the owners of the property being discussed asked that the property be annexed into the City, the property touches the City in the north end, the property is in the urban growth boundary, and therefore they have the right to annexation into the City. She pointed out that the Portland Metropolitan Boundary Commission has the authority to annex the property since Sherwood is inside Portland's urban growth boundary.

Don Wachlin, 20225 SW Scholls Road, Sherwood, addressed the Commission. Mr. Wachlin stated that he and his wife run a fruit stand within the City limits of Sherwood, on 15 acres which he leases; but it borders the Driftwood Mobile Home Park and is adjacent to the Houston Park. He commented that since the new development there has been nothing but chaos, there are juvenile delinquents, children destroy property, he has complaints about sprinklers running in the evening, the irrigation at night to reduce vaporization, overspray of water, etc. He stated that it was difficult to control overspray of water and the people who live in and make their living at the urban growth boundary need protection or the will sell their property, move the urban growth boundary out and the City will have more houses.

Chris Schmidt, 18107 SW Edy Road, Sherwood, addressed the Commission. Mr. Schmidt stated that his property abuts the Asterbrook developed and asked what will protect him from the children from trespassing and vandalizing his property. He pointed out that there is a lot of equipment and a shop on his property. Mr. Schmidt urged that a fence be required. In response to Ms. Claus' question, Mr. Schmidt stated that he is outside of the City limits, but according to the map is within the urban growth boundary.

Vice-Chairman Corrado called for a ten-minute recess at 9:20, after which the hearing reconvened. He indicated that there appears to be no further opponent testimony and requested that Mr. Schelsky proceed with a brief rebuttal.

Mr. Schelsky stated that all 10 acres of open space will be dedicated to the City during Phase 1. Regarding access to the park, he pointed out that the primary user of the area will be the residents of the development, there is on-street parking and access to the Park from Edy Road. Mr. Schelsky commented that at build out of Cedar Creek Estates, there is

no connection from Asterbrook to Cedar Creek Estates, and the intent of the City was to not make a connection. Mr. Schelsky commented that the stubbed access from the west is at the requirement of the City for a future extension to the urban growth boundary, when and if required. Regarding the farm waiver, Mr. Schelsky indicated that the verbiage is from the County, was a suggestion to the City, and is a requirement of the County for development of rural land. Mr. Schelsky stated that the wetland and buffer area impacted by the road is about 5,000 square feet, and is being dedicated to the City for a park. He requested that the Commission grant approval to apply to USA, DSL, and US Corp of Engineers to obtain a permit to construct a road. Mr. Schelsky stated that there is little impact to the buffer, which will be mitigated, and he felt the Corp would accept their application. Regarding fences, Mr. Schelsky stated that the developers are willing to work with the church to construct fences, and prefers a 6-foot wood fence rather than a chain-link fence. Mr. Schelsky stated that a fence would be built 6 to 12 inches onto the church property, and the church will own the fence and will preclude installation of a gate by a resident.

Dick Brown, 7340 SW Hunziker, Tigard, again addressed the Commission. Mr. Brown stated that the church had concerns that residents would remove boards from a fence, and if the church had more control over the fence since it is on their property, the developer would be willing, if the church will give permission, to construct a fence on the church property if the developer were not involved with tree removal. He stated that the developer is willing to build a fence on their property if the church does not wish the fence on the church property. Commissioner Shannon suggested that material for the fence be at the option of the church since the church plans to extend the fence if the fence is built on the church property since it is a security fence for the church. Vice-Chairman Corrado commented that the agreement of the developer to build a fence is most important, and the material should be the option of the builder.

Ms. Connell pointed out that the City Park Plan identifies property to be acquired by the City and there will be a park in the area in the future, possibly adjacent to the proposed National Wildlife Refuge. She commented that there is a parks fee of approximately \$140,00 which the developer will pay to the City for future parks, and the developer will receive a credit of only about \$40,000. Ms. Connell stated that the greenway plan identifies floodplain as passive open space and the area is not intended to be an improved park. She stressed that no site has been specifically identified

for a park.

Regarding fencing on the church property, Mr. Schelsky stated that the developer would like to build the fence during Phase 3 prior to occupancy. Further, on the recommendation to the City Council the developer would like to re-draw the plot after a decision has been made as to whether the streets are to go through, and change the plan to reflect the alternative layout of the wetland area.

There being no further testimony, Vice-Chairman Corrado closed the public hearing and opened the meeting for questions, comments and discussion among the Commissioners. He advised that the hearing can be re-opened at any time at the request of one of the Commissioners.

In response to Ms. Claus' question, Ms. Connell indicated that the City is responsible for defining the UGB, and would take about three weeks. She stated that Staff would contact the Boundary Commission for clarification.

Considerable discussion ensued among the Commissioners regarding fencing, farm waiver verbiage in CC&Rs, half-street improvements and fill; wetlands impact and infringement, dedication of wetlands for trails, including exchange for tot lot; development phasing; street widths; parks, dedication and SDC fees; review and revisions of condition.

Ms. Claus moved, based on the findings of fact, staff recommendations and Commissioners' revisions to those conditions, that PUD 94-1 preliminary plan be forwarded to the City Council with a recommendation of approval subject to the following conditions:

Prior to submittal of a final PUD Development Plan, or in some cases prior to the submittal of the Final Plat, the following conditions must be satisfied:

1. Modify the plan and plat so that no wetlands or wetlands buffer (25') are on private property or in public streets, but are incorporated into the open space dedication. Dedicate the open space to the City in the Phase 1 Final Plat. Obtain necessary permits from the Corps of Engineers and the Division of State Lands for utility extensions in the floodplain/wetlands.
2. The cutting of vegetation in the designate open space area is prohibited, except as necessary for utility extensions and right-of-way improvements and as agreed upon by the City.

3. Modify the plat so that all duplex lots are a minimum of 8,000 square feet in size.
4. Modify the plat so that the private street in Phase 3 is wide enough to provide for 28 feet of paving, and parking and sidewalks on one side. Provide a private road access and maintenance agreement to be recorded with the Phase 3 plat.
5. Modify the plat to provide an additional pedestrian pathway from the cul-de-sac bulb east between Lots 34 and 20 (or thereabouts), further extending east to the wetlands boundary in the vicinity of Lot 128. Provide for an eight (8') foot wide asphalt or concrete pathway detail in the construction drawings. Ensure that the trail end into the drainageway is not too steep.
6. Obtain a demolition permit from the City for removal of the existing structures.
7. Provide a water well abandonment plan to the City for existing wells on the site.
8. The front yard building setback for Lots 126 - 132 and Lots 148 - 155 may be reduced to fifteen (15') feet, except that garages must be setback twenty (20') feet from the property line.
9. Public local road right-of-way width may be reduced to 46 feet and parking is allowed on both sides of the street. All other local road improvements must meet City standards.
10. No streets may exceed a 10% grade.
11. Provide engineered construction plans for public and private improvements including costs, maintenance and bonding provisions in compliance with City, USA, Washington County and TVFRD standards. The plans shall include provisions for streets, pathways, sanitary sewer, water, fire protection, storm water runoff, erosion control, street lighting, landscaping, street names and signage. Provide utility extensions to all adjoining properties. In particular:

Storm water run-off:

- a. Provide on-site storm water detention if required by the City.

- b. Provide USA and City concurrence that a regional storm water treatment site (minimum 1 acre) is not planned to be purchased on this site.
- c. On-site water quality facilities are not permitted within the wetlands or the 25' wetland buffer, unless the buffer is widened to compensate for the encroachment. In no case shall the facility be closer than 15 feet from the wetland boundary.
- d. A 25-foot undisturbed corridor shall be platted parallel to the wetlands. The corridor should be replanted as part of the development using native vegetation.
- e. The intersection of Edy Road and the internal street in Phase 3 should be moved east to protect the wetland and allow for the required undisturbed corridor.
- f. Provide an all-weather maintenance road to the water quality facilities.
- g. Each lot shall have a separate connection to public storm and sanitary sewer. The private liens connecting each structure to the public main must be on the lot being served.
- h. Obtain a permit from USA for connection to the 24" main in Cedar Creek. Obtain appropriate State and Federal Permits prior to any on-site work.

Edy Road:

- a. Obtain a Traffic Impact report from Washington County. Comply with their road dedication, improvement and traffic safety recommendations.
- b. As a part of Phase 1, provide a half-street improvement to Edy Road from the west boundary of Phase 1 to the west boundary of Phase 4. Additional half-street improvements to Edy Road shall be made in conjunction with the adjoining phase.
- c. Provide a one-foot non-access reserve strip along any Edy Road frontage.
- d. Provide a landscape corridor plan for lots adjoining Edy Road, as approved by the City.

Fire protection:

- a. If required by the TVFRD, provide an additional emergency access out of Phases 1 and 2.
 - b. Locate fire hydrants in accordance with district standards.
12. Submit project CC&Rs for City approval. Include a statement notifying homeowners of adjoining farm, forest and church activities.
 13. In accordance with the Phasing Plan, construct a six (6') foot wooden fence along the west property line, and construct a fence adjoining the church property, the location and materials to be agreed upon by the church, the applicant and the City.
 14. Delete the street stubs to the west, if the adjoining land is determined to be outside the Urban Growth Boundary and then provide a second access to Edy Road in Phase 1 at least 100 feet from any other intersection.
 15. If approved by the City Parks Board, add up to 15,000 square feet of area for a neighborhood park in the vicinity of Lots 19, 20 and 34 and the pedestrian path. The lot shall be graded, seeded and dedicated to the City.
 16. This approval does not approve the preliminary subdivision plat.

The motion was seconded by Mr. Shannon and carried unanimously.

B. PA 94-8 Code Amendments: Proposed Zoning Code text amendment concerning typographical errors and inconsistencies in the attached single-family housing standard:

Vice-Chairman Corrado called for a staff report.

Ms. Connell briefly reviewed a proposed ordinance correcting typographical errors and resolving inconsistencies in the City Zoning and Community Development Code sections which preclude development of attached single-family uses. Ms. Connell also reviewed the current Code requirements for zoning and setbacks.

There being no comments from the audience, and after a brief discussion among the Commissioners, Vice-Chairman Corrado moved that PA 94-8 be approved and forwarded to the City Council for a public hearing. The motion was seconded by Mr. Bechtold and carried unanimously.

4. **Director's Report:**

Ms. Connell advised that Gramor Shopping Center had approached staff and inquired whether they could make changes without a public hearing. Ms. Connell reviewed a letter from Gramor dated December 19, 1994, a copy of which is attached as part of these minutes. She commented that the developer is applying for a building permit and requested City's concurrence with the following:

1. Pad A - they have reduced from 6,500 to 3,000 square feet to adjust for an appropriate client.
2. Retail A - add a section to draw the center closer to the existing shopping center and make a better pedestrian flow as well as adding glass at the pedestrian activity center rather than a pedestrian area at the loading area.
3. Pedestrian Plaza No. 2 - Ms. Connell requested the applicant widen the plaza by 25 feet, which the applicant has done, and accordingly reduced the size of the retail C and D.
4. The right-in, right-out, has been relocated 25 feet farther west on Tualatin-Sherwood Road as required by the County and is being considered as a proposed access by ODOT.
5. The parking ratio has been increased due to the needs of Albertson Market, who requires diagonal parking.
6. The main entrance has been re-designed by the traffic engineer to provide better traffic flow.

Ms. Connell remarked that City staff felt the request were appropriate; however, the plans may also be altered so that there is no longer an Anchor B and there are smaller additional pads. Ms. Connell indicated the applicant will submit a request for additional, smaller pads at a later date. She requested that the Commission indicate whether the stated changes are agreeable. Vice-Chairman Corrado polled the Commissioners, all of whom concurred with the changes.

5. **Adjournment:**

There being no further items before the Commission, the meeting adjourned at approximately 11:45 p.m.

Respectfully submitted,

Teresa Minor
Secretary